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N. 45 E A H b 5154 -	<b>Application No.</b> 09/961,099	Applicant(s)  JACOBSEN ET AL.	
	D. S. Nakarani	1773	
The MAILING DATE of this communication app All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-88 NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT I of the Office or upon petition by the applicant. See 37 CFR 1.31	S (OR REMAINS) CLOSED in 5) or other appropriate commu RIGHTS. This application is so	this application. If not inc nication will be mailed in a	cluded due course. <b>THIS</b>
1.   This communication is responsive to the amendment filed	d December, 01, 2003.		
2. X The allowed claim(s) is/are 1,3,5-10,14-17 and 19-25.	<del></del>		
3. The drawings filed on are accepted by the Examin	er.		
<ul> <li>4. ☐ Acknowledgment is made of a claim for foreign priority t</li> <li>a) ☐ All b) ☐ Some* c) ☐ None of the:</li> </ul>	under 35 U.S.C. § 119(a)-(d) o	r (f).	•
1. Certified copies of the priority documents have	e been received.		
2.   Certified copies of the priority documents have	e been received in Application	n No	
3. Copies of the certified copies of the priority d	ocuments have been received	in this national stage app	lication from the
International Bureau (PCT Rule 17.2(a)).	•		
* Certified copies not received:			
<ol> <li>Acknowledgment is made of a claim for domestic priority reference was included in the first sentence of the specific</li> </ol>			ince a specific
(a) The translation of the foreign language provisional			•
<ol> <li>Acknowledgment is made of a claim for domestic priority in the first sentence of the specification or in an Application</li> </ol>		r 121 since a specific refe	rence was included
Applicant has THREE MONTHS FROM THE "MAILING DATE" of below. Failure to timely comply will result in ABANDONMENT o			
7. A SUBSTITUTE OATH OR DECLARATION must be subtineformal patent application (PTO-152) which give			<del>or NOTICE OF</del>
<ol> <li>CORRECTED DRAWINGS ( as "replacement sheets") mu</li> <li>(a) ☐ including changes required by the Notice of Draftspel</li> <li>1) ☐ hereto or 2) ☐ to Paper No</li> </ol>		( PTO-948) attached	
(b) ☐ including changes required by the proposed drawing	correction filed, which	has been approved by th	e Examiner.
(c) ☐ including changes required by the attached Examine			
Identifying indicia such as the application number (see 37 CFR each sheet. Replacement sheet(s) should be labeled as such in			the back) of
9. DEPOSIT OF and/or INFORMATION about the deposit attached Examiner's comment regarding REQUIREMENT FOR			d. Note the
Attachment(s)			
1☐ Notice of References Cited (PTO-892)	5 ☐ Notice of Infor	mal Patent Application (P	TO-152)
2 Notice of Draftperson's Patent Drawing Review (PTO-948)	6⊠ Interview Sum	nmary (PTO-413), Paper N	No. <u>20040122</u> .
3 Information Disclosure Statements (PTO-1449 or PTO/SB/0 Paper No	<sup>08),</sup> 7⊠ Examiner's Ar	mendment/Comment	
4☐ Examiner's Comment Regarding Requirement for Deposit	8☐ Examiner's St	atement of Reasons for A	llowance
of Biological Material	9☐ Other .	- Donalco	
	· .	D. S. Nakarani Primary Examin Art Unit: 1773	

U.S. Patent and Trademark Office PTOL-37 (Rev. 11-03) Application/Control Number: 09/961,099

Art Unit: 1773

## **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. William C. Gerstenzang on January 22, 2004.

2. The application has been amended as follows:

Claim 1, lines 4-5, the phrase "layer (I) as the first surface layer comprising at least one layer of a thermoplastic polymer film" has been changed to the phrase -- at least one thermoplastic polymer layer (I) as the first surface layer --, and

Lines 9, the phase "layer (III) comprising at least one further layer of a thermoplastic polymer" has been changed to the phrase -- at least one further thermoplastic polymer layer (III) --:

Claim 14, line 2, the phrase "vapor-coated layer" has been changed to the phrase -- aluminum vapor-coated layer --.

Claim 24, line 2, the phrase "thermoplastic resin" has been changed to the phrase -- thermoplastic polymer of the heat-sealable layer --.

Claim 25, line 2, the phrase "thermoplastic resin" has been changed to the phrase -- thermoplastic polymer of the heat-sealable layer --.

Claims 2, 4, 11 and 18 have been cancelled.

Application/Control Number: 09/961,099 Page 3

Art Unit: 1773

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to D. S. Nakarani whose telephone number is (571) 272-1512. The examiner can normally be reached on Tuesday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul J. Thibodeau can be reached on (571) 272-1516. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

D. S. Nakarani Primary Examiner Art Unit 1773

dsn January 22, 2004.